

# SENATE JOURNAL

*Fifty-fifth Legislature—Regular Session*

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AUSTIN, TEXAS, TUESDAY, JANUARY 8, 1957

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## PROCEEDINGS

### FIRST DAY

(Tuesday, January 8, 1957)

In accordance with the Constitution and Laws of the State of Texas, the Senate of the Fifty-fifth Legislature met in the Senate Chamber of the State Capitol on Tuesday, the eighth day of January, 1957, at 12:00 o'clock noon.

The Honorable Ben Ramsey, Lieutenant-Governor and President of the Senate, called the Senate to order.

On invitation of the President the Reverend Marvin Vance, Pastor of the First Methodist Church of Austin, Texas, delivered the invocation.

### Temporary Officers

The President announced the appointment of the following temporary officers of the Senate:

Secretary, Charles Schnabel.  
Journal Clerk, Minnie Meier.  
Sergeant-at-Arms, John Dorman.  
Doorkeeper, Charles Jones.  
Calendar Clerk, Martha Turner.

### Roll Call of Senators

The President directed the Secretary of the Senate to call the roll of Senators who were Members of the Fifty-fourth Legislature and who continue in office as Members of the Fifty-fifth Legislature.

The roll was called and the following Senators answered to their names:

Hon. A. M. Aikin, Jr., representing the First Senatorial District composed of Bowie, Cass, Delta, Franklin, Hopkins, Lamar, Marion, Morris, Red River, and Titus counties.

Hon. Carlos Ashley, representing the Sixteenth Senatorial District composed of Bandera, Brown, Burnet,

Concho, Gillespie, Kerr, Kimble, Kinney, Lampasas, Llano, McCulloch, Mason, Menard, Mills, Real, San Saba, Uvalde, and Zavala counties.

Hon. Searcy Bracewell representing the Sixth Senatorial District composed of Harris County.

Hon. Jep S. Fuller, representing the Fourth Senatorial District composed of Jefferson and Orange counties.

Hon. Dorsey B. Hardeman, representing the Twenty-fifth Senatorial District composed of Brewster, Coke, Coleman, Crane, Crockett, Edwards, Glasscock, Irion, Jeff Davis, Pecos, Presidio, Reagan, Runnels, Schleicher, Sterling, Sutton, Terrell, Tom Green, Upton, and Val Verde counties.

Hon. Wardlow Lane, representing the Second Senatorial District composed of Gregg, Harrison, Panola, Rusk, and Shelby counties.

Hon. Ottis E. Lock, representing the Third Senatorial District composed of Angelina, Cherokee, Hardin, Jasper, Nacogdoches, Newton, Sabine, San Augustine, and Tyler counties.

Hon. Crawford C. Martin, representing the Twelfth Senatorial District composed of Bosque, Comanche, Coryell, Ellis, Erath, Hamilton, Hill, Hood, Johnson, and Somervell counties.

Hon. William T. Moore, representing the Eleventh Senatorial District composed of Anderson, Brazos, Burleson, Falls, Freestone, Limestone, Navarro, Robertson, and Washington counties.

Hon. George Parkhouse, representing the Eighth Senatorial District composed of Dallas County.

Hon. Jimmy Phillips, representing the Seventeenth Senatorial District composed of Brazoria, Chambers, Fort

Bend, Galveston, and Matagorda counties.

Hon. David W. Ratliff, representing the Twenty-fourth Senatorial District composed of Borden, Dickens, Fisher, Garza, Howard, Jones, Kent, Mitchell, Nolan, Scurry, Shackelford, Stonewall, and Taylor counties.

Hon. Ray Roberts, representing the Ninth Senatorial District composed of Collin, Cooke, Fannin, Grayson, Hunt, Rains, and Rockwall counties.

Hon. Andy J. Rogers, representing the Thirtieth Senatorial District composed of Armstrong, Bailey, Briscoe, Castro, Childress, Collingsworth, Deaf Smith, Donley, Floyd, Hale, Hall, Lamb, Motley, Parmer, and Swisher counties.

Hon. R. A. Weinert, representing the Nineteenth Senatorial District composed of Atascosa, Blanco, Caldwell, Comal, Frio, Gonzales, Guadalupe, Hays, Kendall, Medina, and Wilson counties.

#### Roll Call of Senators-elect

The President directed the Secretary of the Senate to call the roll of the Senators-elect. The credentials of election had previously been received from the Secretary of State.

The roll was called and the following Senators-elect answered to their names:

Hon. Floyd Bradshaw to represent the Twenty-second Senatorial District composed of Callahan, Clay, Denton, Eastland, Jack, Montague, Palo Pinto, Parker, Stephens, and Wise counties.

Hon. Neveille H. Colson to represent the Fifth Senatorial District composed of Grimes, Houston, Leon, Liberty, Madison, Montgomery, Polk, San Jacinto, Trinity, and Walker counties.

Hon. William S. Fly to represent the Eighteenth Senatorial District composed of Aransas, Bee, Calhoun, De Witt, Goliad, Jackson, Karnes, Live Oak, McMullen, Refugio, San Patricio, and Victoria counties.

Hon. Henry B. Gonzalez to represent the Twenty-sixth Senatorial District composed of Bexar County.

Hon. Grady Hazlewood to represent the Thirty-first Senatorial District composed of Carson, Dallam, Gray, Hansford, Hartley, Hemphill, Hutch-

inson, Lipscomb, Moore, Ochiltree, Oldham, Potter, Randall, Roberts, Sherman and Wheeler counties.

Hon. Charles F. Herring to represent the Fourteenth Senatorial District composed of Bastrop, Travis, and Williamson counties.

Hon. Hubert Hudson to represent the Twenty-seventh Senatorial District composed of Cameron and Hidalgo counties.

Hon. Abraham Kazen, Jr., to represent the Twenty-first Senatorial District composed of Brooks, Dimmit, Duval, Jim Hogg, Jim Wells, La Salle, Maverick, Starr, Webb, and Zapata counties.

Hon. Culp Krueger to represent the Fifteenth Senatorial District composed of Austin, Colorado, Fayette, Lavaca, Lee, Waller, and Wharton counties.

Hon. George Moffett to represent the Twenty-third Senatorial District composed of Archer, Baylor, Cottle, Foard, Haskell, Hardeman, King, Knox, Throckmorton, Wichita, Wilbarger, and Young counties.

Hon. Frank Owen III to represent the Twenty-ninth Senatorial District composed of Culberson, Ector, El Paso, Hudspeth, Loving, Midland, Reeves, Ward, and Winkler counties.

Hon. Bruce Reagan to represent the Twentieth Senatorial District composed of Kenedy, Kleberg, Nueces, and Willacy counties.

Hon. Jarrard Secrest to represent the Thirteenth Senatorial District composed of Bell, McLennan, and Milam counties.

Hon. Preston Smith to represent the Twenty-eighth Senatorial District composed of Andrews, Cochran, Crosby, Dawson, Gaines, Hockley, Lubbock, Lynn, Martin, Terry and Yoakum counties.

Hon. Doyle Willis to represent the Tenth Senatorial District composed of Tarrant County.

Hon. Bill Wood to represent the Seventh Senatorial District composed of Camp, Henderson, Kaufman, Smith, Upshur, Van Zandt, and Wood counties.

#### Oath of Office Administered to Senators-elect

The President requested all Sen-

ators-elect to advance to the Bar of the Senate and he then administered the Constitutional Oath of Office to all the Senators-elect.

#### Senate Resolution 1

(Caucus Report)

Senator Weinert offered the following resolution:

Austin, Texas,  
January 8, 1957.

Hon. Ben Ramsey, Lieutenant Governor, Senate of Texas.

Sir:

At a caucus held in the office of the Senate attended by 30 members of the Senate, the following recommendations were made, to-wit:

The following officers were elected to serve for the 55th Legislature, and at the salaries set opposite their names:

Secretary of the Senate, Chas. A. Schnabel, \$500.00 per month.

Two Assistant Secretaries of the Senate, which shall be appointed by the Secretary of the Senate, \$14.00 per day.

Journal Clerk, Mrs. Minnie Meier, \$15.00 per day.

Sergeant-at-Arms, for the duration of the Regular Session, John Dorman, \$16.50 per day.

Doorkeeper, Charlie R. Jones, \$13.00.

Chaplain, Rev. W. H. Townsend, \$11.00.

Calendar Clerk, Mrs. Martha Turner, \$14.00.

Engrossment and Enrolling Clerk, Miss Essie McGinnis, \$19.00.

Postmistress, Mrs. Vance Stockton, \$14.00.

Mailing Clerk, Mrs. John Draper, \$14.00.

Parliamentarian, named by the Lieutenant Governor, Dan Moody Jr., \$16.50.

It is recommended that the Lieutenant Governor and the Secretary of the Senate each be permitted to name one secretary, the secretary of the Lieutenant Governor to receive \$16.00 per day and the secretary of the Secretary of the Senate to receive

\$14.00 per day. The salaries of other employees of the Senate may be supplemented at the discretion of the Contingent Expense Committee.

It is further recommended that each Senator shall be permitted to employ a secretary and other office help at a maximum payroll of \$38.00 per day for each such Senator's secretary and employees with a maximum pay of \$14.00 per day for any such secretary or other office employee. The names of such employees shall be referred to an assignment committee hereinafter provided for and such committee shall be authorized to select employees from such list.

Salaries of other employees, unless otherwise fixed by the Senator, shall be \$12.00 per day.

It is further recommended that the Lieutenant Governor be authorized to name a committee of five, such committee shall be designated as an Assignment Committee for the purpose of assigning employees as herein authorized and the committee be authorized to select sufficient additional employees to be assigned by it when and where needed.

It is further recommended that the employees and the porters who were selected to prepare the Senate Chamber in advance of the meeting be allowed pay for their services.

It is further recommended that the several appointments of employees heretofore made by the Lieutenant Governor and announced in the Senate and considered by the caucus are confirmed.

The salaries of the day and night elevator operators shall be \$8.00 per day each, and the salaries of the porters shall be \$7.00 per day each, except the head porter whose salary shall be \$12.00 per day and the porter carrying the mail shall receive \$7.00 per day, and the salaries of the pages shall be \$5.00 per day, and the salaries of the messengers shall be \$6.50 per day.

The Lieutenant Governor is requested to recommend that the Southwestern Bell Telephone Company employ Miss Mary Jacobs to attend the duties of the telephone operator of the Senate, and a night operator be named by the assignment committee, out of the employees whose names are filed with said committee.

The Lieutenant Governor, Senators and the Secretary of the Senate are hereby fully authorized and empowered to use any assistant Sergeant-at-Arms and all other necessary employees for any and all services needed in and about the Senate.

It is further recommended that no employee of the Senate, shall, during the time he or she is employed, furnish to any person, firm or corporation any information other than general information furnished the public pertaining to the Senate, and they shall not receive any compensation from any person, firm or corporation during their employment by the Senate, and any employee found guilty of violating this provision shall be immediately discharged.

All employees, except those responsible directly to the Lieutenant Governor, members of the Senate, Secretary of the Senate, committee, or to the head of a department, shall report for duty at eight o'clock a.m., and one o'clock p.m., each day to the Sergeant-at-Arms of the Senate, except part-time employees, who shall report at the place and time directed by the Sergeant-at-Arms, and none of such employees shall be paid for the days they are absent from the Senate, unless excused by the Sergeant-at-Arms.

It is further recommended that the Lieutenant Governor, each Senator and the Secretary of the Senate, be allowed the stationery and postage needed by them, respectively, and expenses incurred in transmitting and receiving telephone and telegraph messages and express charges as may be actually necessary in the discharge of their official duties, said expenses to be paid out of the contingent fund.

It is further recommended that 1700 journals be printed, all of which shall be prorated among the Senators and Lieutenant Governor, except that 175 journals shall be furnished the members of the House.

It is further recommended that the State Library be furnished 75 copies of the daily journals and 75 copies of the bound journals of the Regular Session of the 55th Legislature.

It is further recommended that the Senate request the State Comptroller of Public Accounts, to issue general revenue warrants for pay of the

members and employees of the Senate upon presentation of the payroll account signed by the Presiding Officer and the Secretary of the Senate.

It is further recommended that each Senator, the Lieutenant Governor, the Secretary of the Senate, and Librarian be permitted to subscribe for four newspapers to be paid for out of the contingent fund.

The elected officers of the Senate may select, subject to the approval of the Contingent Expense Committee, employees to fill such key positions as may be authorized by said committee.

It is further recommended that the President of the Senate has exclusive appointment of a sufficient number of custodians, messengers, pages, elevator operators, porters and other employees as in his judgment may be necessary.

It is further recommended that the Chairman of the Finance Committee shall have authority to employ such additional employees of his own selection as may be needed by said committee, said employees to receive the same compensation paid similar positions as herein fixed, who shall discharge the duties of the Finance Committee.

It is further recommended that the private rooms allotted to the Senators by the method as adopted by the caucus be assigned to Senators and their successors unless otherwise directed by the Senate.

It is further recommended that each Senator, as quickly as possible, file with the Secretary of the Senate the name of his private secretary selected; that he also file with the Chairman of the Assignment Committee aforesaid the names of the employees selected, together with his or her post office address.

Be it further resolved, that no employees of the Senate except those whose official duties require them to work upon the floor of the Senate, shall have access to the floor unless that employee shall have been requested by a Senator, the Lieutenant Governor, or the Secretary of the Senate to come on the floor for some official duty, which, when performed, he will immediately leave the floor of the Senate. The Sergeant-at-Arms is specifically ordered to see that this provision is carried out.

Only those who have the privileges of the floor during the sessions of the Senate shall be permitted on the Senate floor for a period of thirty minutes prior to the time the Senate convenes. The Sergeant-at-Arms is instructed to enforce this rule and to permit only those having the privileges of the floor to enter or remain on the Senate floor during such thirty-minute period.

Respectfully submitted,  
R. A. WEINERT,  
Chairman of the Caucus.

The resolution was read.

On motion of Senator Weinert and by unanimous consent the resolution was considered immediately and was adopted.

#### Quorum Present

The President announced a quorum of the Senate present.

#### Election of President Pro Tempore

The President announced the election of the President pro tempore for the Regular Session of the Fifty-fifth Legislature as the next order of business.

Senator Moffett nominated the Honorable Ottis E. Lock of Angelina County to be President pro tempore of the Senate for the Regular Session of the Fifty-fifth Legislature.

Senators Lane, Ashley, Hardeman, Secrest, Aikin and Fly seconded the nomination of Senator Lock for President pro tempore for the Regular Session.

Senators Hardeman, Colson, Secrest and Aikin were appointed as tellers to take up and cast the ballots.

The ballots were taken up and counted and the result was announced as follows:

Senator Lock received 30 votes with 1 present not voting.

The President declared that the Honorable Ottis E. Lock had been duly elected President pro tempore of the Senate for the Regular Session of the Fifty-fifth Legislature and Senators Moffett, Lane and Weinert were appointed to escort Senator Lock to the President's rostrum.

Senator Lock was then adminis-

tered the Constitutional Oath of Office as President pro tempore by the President.

The President presented Senator Moffett and he presented Senator Lock to the Senate.

Senator Lock presented his sister, Mrs. R. G. Hartson and brother, John T. Lock to the Senate and then addressed the Senate briefly, expressing appreciation for the honor of serving as President pro tempore.

#### Senate Concurrent Resolution 1

Senator Aikin offered the following resolution:

S. C. R. No. 1, Providing Joint Session to canvass votes for Governor and Lieutenant Governor and Committee to make plans for inauguration.

Be It Resolved by the Senate of the State of Texas, the House of Representatives concurring, That a joint committee composed of five members of the Senate and five members of the House shall be appointed by the Lieutenant Governor and Speaker, respectively, to arrange for the canvass of the votes cast for Governor and Lieutenant Governor at the general election held on the first Tuesday in November, 1956, and that a joint session of the Senate and House be held in the Hall of the House of Representatives on Monday, January 14, 1957 for the purpose of counting said votes and receiving the report, and hearing the declaration of the results of the canvass. Be it further

Resolved, That a joint committee composed of five members of the Senate and five members of the House of Representatives also be appointed by the presiding officers of the respective houses to arrange for the inauguration of the Governor-elect and Lieutenant Governor-elect as determined by the canvass of the votes.

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted.

#### Committee to Notify Governor

Senator Aikin submitted the following motion in writing:

Mr. President: I move that the

President appoint a committee of five Members to notify the Governor that the Senate is organized and ready for business.

The motion was read and was unanimously adopted.

Accordingly, the President announced the appointment of the following committee to notify the Governor that the Senate is duly organized and ready for the transaction of business: Senators Lock, Lane, Krueger, Wood and Reagan.

#### Committee to Notify House

Senator Aikin submitted the following motion in writing:

Mr. President: I move that the President appoint a committee of five members to notify the House that the Senate is organized and ready for business.

The motion was read and was unanimously adopted.

Accordingly, the President announced the appointment of the following committee to notify the House of Representatives that the Senate is duly organized and ready for the transaction of business: Senators Bradshaw, Herring, Hudson, Aikin and Moffett.

#### Senate Resolution 2

Senator Weinert offered the following resolution:

Resolved, That the permanent rules of the Senate of the 54th Legislature as adopted by the Senate on January 11, 1955, and as published in the Manual of the 54th Legislature, as amended by the Senate on June 7, 1955, be adopted as the permanent rules of the Senate of the 55th Legislature.

The resolution was read and was adopted by the following vote:

Yeas—30

Ashley	Hudson
Bracewell	Kazen
Bradshaw	Krueger
Colson	Lane
Fly	Lock
Fuller	Martin
Gonzalez	Moffett
Hardeman	Moore
Hazlewood	Owen
Herring	Parkhouse

Phillips  
Ratliff  
Reagan  
Roberts  
Rogers

Secrest  
Smith  
Weinert  
Willis  
Wood

Nays—1

Aikin

#### Senate Concurrent Resolution 2

Senator Aikin offered the following resolution:

S. C. R. No. 2, Providing Joint Session to hear an address by Governor Allan Shivers.

Be It Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the Senate and House meet in joint session in the House of Representatives at 11:30 a. m., January 10, 1957; and be it further

Resolved, That his excellency, Allan Shivers, Governor of the State of Texas, be, and he is hereby invited to address the Regular Session of the Fifty-fifth Legislature in joint session.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the resolution was considered immediately and was adopted.

#### Senate Resolution 3

Senator Phillips offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate. Mrs. Ralph Gray of Lake Jackson; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; Now, therefore, be it

Resolved, That her presence be recognized by the Senate of Texas and that she be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Phillips by unanimous consent presented Mrs. Gray to the Members of the Senate.

#### Senate Resolution 4

Senator Kazen offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate. Mrs.

Bruce A. Reagan, Miss Jan Reagan, and Mr. and Mrs. John Earl Reagan of Corpus Christi; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; Now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Kazen by unanimous consent presented the guests to the Members of the Senate.

#### House Notified

The committee to notify the House that the Senate is organized and ready to transact business, appeared at the Bar of the Senate, and Senator Bradshaw, for the committee, notified the President and the Senate that the committee had performed the duty assigned it.

#### Presentation of Guests

On motion of Senator Ashley and by unanimous consent the families of the newly-elected Senators present in the Senate Chamber were presented to the Senate.

#### At Ease

The President at 12:50 o'clock p.m. announced that the Senate would stand At Ease until 1:00 o'clock p.m.

#### In Legislative Session

The President called the Senate to order as in Legislative Session at 1:00 o'clock p. m.

#### Governor Notified

The committee to notify the Governor that the Senate is organized and ready to transact business appeared at the Bar of the Senate, and Senator Lane for the committee, notified the President and the Senate that the committee had performed the duty assigned it.

#### Adjournment

On motion of Senator Hardeman the Senate at 1:03 o'clock p. m. adjourned until 10:30 o'clock a. m. tomorrow.

## SECOND DAY

(Wednesday, January 9, 1957)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

#### Absent—Excused

Lock Owen

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

#### Leaves of Absence

Senator Owen was granted leave of absence for today and the remainder of the week on account of important business on motion of Senator Rogers.

Senator Lock was granted leave of absence for today on account of illness on motion of Senator Lane.

#### Temporary Committee on Finance

The President announced the appointment of the following Temporary Committee on Finance: Senators Martin, Moffett and Lane.

#### Senate Bill on First Reading

The following bill was introduced, read first time and referred to the committee indicated:

By Senator Martin:

S. B. No. 1, A bill to be entitled "An Act appropriating the sum of